

## UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina



United States of America

v.

JARED BRUTON

Date of Original Judgment: March 18, 2005

Amended: [Click here to enter text.](#)

Case No: 1:01CR263-1

USM No: 22160-057

Eric D. Placke, First Assistant Federal Public Defender  
Defendant's Attorney

### ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO § 404 OF THE FIRST STEP ACT AND 18 U.S.C. § 3582(c)(2)

This case is before the Court pursuant to § 404 of the First Step Act for Retroactive Application of the Fair Sentencing Act of 2010. After considering the Supplemental Report of the U.S. Probation Office and the responses of the Government and the Defendant, the Court makes the determination set out below. If the Court has granted relief under the First Step Act, the Court has also considered whether to reduce the Defendant's sentence pursuant to 18 U.S.C. § 3582(c)(2) if the applicable Guideline range has been lowered by amendments to the United States Sentencing Guidelines that have been made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u). The Court has taken into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable.

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence (*as reflected in the last judgment issued*) for Count One of 360 months imprisonment and 10 years of supervised release is reduced to **320 months imprisonment, but not less than time served, and 8 years of supervised release**. This Order is stayed for 10 days to allow implementation by the Bureau of Prisons.

☐ GRANTED only as to supervised release, and the defendant's previously imposed sentence is unchanged as to the term of imprisonment, but the term of supervised release is reduced from \_\_\_\_\_ years to \_\_\_\_\_ years.

Defendant was sentenced under 21 U.S.C. §§ 841(b)(1)(A) or (b)(1)(B) for an offense involving cocaine base (crack) and is therefore eligible for relief based on the analysis set out in the Screening Order. *See United States v. Wirsing*, 943 F.3d 175, 186 (4th Cir. 2019). The Court therefore makes the above determination in its discretion, based on the information provided in the Memorandum from the U.S. Probation Office, the briefing of the parties, and review of the record. The Recalculation is made with the consent of the Government and the defendant.

Except as otherwise provided, all provisions of the judgment dated March 18, 2005, shall remain in effect.

**IT IS SO ORDERED.**

Order Date: January 20, 2022

*Judge's signature*

Effective Date: \_\_\_\_\_  
(if different from order date)

N. Carlton Tilley, Jr., Senior United States District Judge

*Printed name and title*